

Notice of Allowability

Application No.

10/620,980

Examiner

Milton Nelson, Jr.

Applicant(s)

WILLIAMS, JAMES A.

Art Unit

3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendment of 6/28/04.
2. ☒ The allowed claim(s) is/are 2-18.
3. ☒ The drawings filed on 7/16/03 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to correct obvious errors appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

1. In line 5 of claim 2, "a" has been changed to - -said- -.
2. In each of lines 6, 9, 10, 11, 17, 24 and 27 of claim 2, "member" has been deleted.
3. In line 2 of claim 8, "member" has been deleted.
4. In each of lines 2 and 4 of claim 9, "member" has been deleted.

Claims 2-18 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 2, the prior art of record fails to show a seating unit including a locking assembly to selectively engage the seat to the support frame to thereby secure the seat to the support frame after displacing the seat to one of a plurality of extended positions; a first actuator handle, affixed to the support frame; a second actuator handle affixed to the support frame and spaced from the first actuator handle; an actuator

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assembly disposed on the support frame, the actuator assembly in communication with the locking assembly, whereby upon activation of the actuator assembly, the locking assembly engages the seat to the support frame; a first cable extending between the first actuator handle and the actuator assembly; a second cable extending between the second actuator handle and the actuator assembly; whereby upon activating the first actuator handle, the first cable is tensioned thereby activating the actuator assembly to engage the seat to the support frame, or upon activating the second actuator handle, the second cable is tensioned thereby activating the actuator assembly to engage the seat member to the support frame, in combination with other specifically claimed features.

Regarding claim 11, the prior art of record fails to show a seating unit including a linearly positionable seat with a locking assembly to selectively engage the seat to the stationary base after positioning the seat to one of a plurality of positions, a first actuator disposed at a first end of the stationary base, a second actuator disposed at a second end of the stationary base, an actuator assembly in operable engagement with both the first actuator and the second actuator, and the locking assembly whereby upon activation of either the first actuator or the second actuator, the actuator assembly engages the locking assembly to thereby release the seat from the stationary base and allow movement of the seat with respect to the stationary base, in combination with other specifically claimed features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

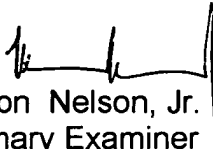
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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milton Nelson, Jr. whose telephone number is 7033082117. The examiner can normally be reached on Monday-Friday 5:30-3:00.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Milton Nelson, Jr.
Primary Examiner
Art Unit 3636

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August 14, 2004